

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARITY MAINVILLE,)	
)	
Plaintiff,)	
)	
v.)	
)	1:25-cv-417
EUGENE H. SOAR, DAVID M. YOPP,)	
MARGARET P. EAGLES, CHRISTINE)	
M. WALCZYK, VARTAN A. DAVIDIAN,)	
III, JOHN DOES 1-3, ANNA C.)	
DE SANTIS, KARLENE S.)	
TURRENTINE,)	
)	
Defendants.)	

ORDER

The record reflects that Plaintiff filed First Amended Complaint for Violation of Civil Rights (Non-Prisoner), (Doc. 28), pursuant to Fed. R. Civ. P. 15(a)(1)(B), (id. at 1). Having reviewed the pleadings, this court finds that Judicial Defendants' Motion to Dismiss, (Doc. 19), and Defendant David Yopp's Motions to Dismiss, (Doc. 23), should be denied without prejudice.

Plaintiff's Amended Complaint is now the operative pleading and renders the Complaint, (Doc. 1), of no legal effect. See Young v. City of Mount Rainer, 238 F.3d 567, 572 (4th Cir. 2001). Because the motions to dismiss filed by Defendants, (Docs. 19, 23), address the now inoperative Complaint, (Doc. 1),

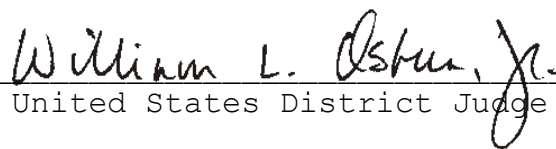
the motions are rendered moot. Consequently, this court will deny Judicial Defendants' Motion to Dismiss, (Doc. 19), and Defendant David Yopp's Motions to Dismiss, (Doc. 23), without prejudice to filing new motions, if warranted.

For the reasons stated herein,

IT IS ORDERED that Judicial Defendants' Motion to Dismiss, (Doc. 19), is **DENIED AS MOOT WITHOUT PREJUDICE** to Defendants filing a motion to dismiss Plaintiff's Amended Complaint, if warranted.

IT IS FURTHER ORDERED that Defendant David Yopp's Motions to Dismiss, (Doc. 23), is **DENIED AS MOOT WITHOUT PREJUDICE** to Defendant filing a motion to dismiss Plaintiff's Amended Complaint, if warranted.

This the 11th day of July, 2025.


United States District Judge